

NAVY AREA-WIDE RESTORATION ADVISORY BOARD  
MEETING MINUTES  
HYATT REGENCY GUAM BALLROOM  
JUNE 19, 2003, 7P.M.

LCDR Tom Scheuermann, the Navy's Co-Chair, and Mike Gawel, community Co-Chair, opened the meeting by welcoming the group, and reviewed the agenda for the evening's meeting, including 1) updates of the Installation Restoration (IR) sites, 2) update on the Orote Peninsula Seafood Advisory Study, and 3) Proposed Plan for Construction Battalion Landfill at South Finegayan. PACDIV provides engineering and environmental support for this program. Lcdr Scheuermann indicated that this was an informal meeting, and that interruptions with questions would be welcome and easier to address as they arose, rather than waiting until the end. Refreshments were available in the back of the room at any time as well, and there were handouts as attendees entered the room, and there were displays around the sides of the room.

Roy Tsutsui was introduced as facilitator and he would assist with taking and answering questions.

Mike introduced Lance Young, from PACDIV, who gave an update on the overall progress of the Navy's Installation Restoration (IR) sites in Guam. There are a total of 18 sites, of which three (3) sites have been cleaned up, and four (4) are pending closure, with one of the four sites proposed for long term monitoring. The focus of this meeting would be on the active sites, of which there are four (4). There are seven (7) sites pending future action in the coming years. Maps showing the locations of the various sites were shown.

The South Finegayan Construction Battalion (CB) Landfill was capped in June 1998. The site is under long-term management phase where groundwater monitoring and maintenance of the landfill cap are conducted periodically. The most recent groundwater monitoring event was conducted in May 2003, and the next event is scheduled to take place in November 2003. A more detailed presentation will be presented later this evening.

The Orote Landfill will be the subject of further discussion later in the meeting, however Lance presented a short overview of the status. The seawall and landfill cap construction were completed in March 2001, and the Draft Phase II Investigation Work Plan was completed in October 2002. Investigation is still taking place at this site. Mid- and deep-water fish sampling was completed in May 2003.

The latest status of Building 3009 site was briefed. The PCB-contaminated soil was treated in March 1997, and a Draft Site Inspection Work Plan/Sampling and Analysis Plan was completed in October 2000, and the final documents are planned for completion later on this year.

"During" and "after" cleanup photos of the Carpentry Shop Dip Tank were shown. Cleanup, including removal of the dip tank, drain lines and sump, was completed in February 1998.

Additional cleanup, which included soil removal, was completed in August 2002. Now that this is complete, the investigation will be finalized.

Mr. Young also updated the group on the Lower Sasa Fuel Burning Pond status. The evaporation pond was removed in 1999, and an Approach Document for Ecological Risk Assessment was completed in February 2002. The Navy is working with the regulators on the cleanup approach which will be finalized in early 2004.

The next speaker, Eric Wetzstein, gave an update on the Orote Peninsula Seafood Advisory. Mr. Wetzstein gave an overview of the Seafood Advisory, why it was issued and its boundaries, and then went on to explain what is being done about this site. Mr. Wetzstein explained that they are trying to further define how far the advisory should extend offshore. He noted some other known environmental sites and landmarks which could be associated with or have contributed releases to this entire area. He showed a map with the location of the Orote Landfill, described the history of the site and the seawall construction, and showed photos of Orote Beach taken before and after the construction of the seawall. Mr. Wetzstein gave an overview of the history of the Seafood Advisory itself, and showed a photograph of the signs being posted in the area.

There is a four-phased strategy being used to address the results of the fish sampling. The strategy was developed by the Working Group, including the Navy, Guam EPA, and USEPA, and others. Phase I—refining the areas of the seafood advisory—is complete. Mr. Wetzstein reviewed the rationale for sampling territorial fish, and reiterated the current boundary of the advisory area. Work done during this phase not only included sampling of territorial fish, but also collection of popular fish by local fishermen, interviews and surveys with fishermen and local residents, and a seafood consumption survey.

Phase II activities undertaken to date include salinity surveys, identifying marine seeps, draft work plans, and mid- to deep-water fish sampling. The intent of this phase is to identify where the chemicals are coming from and if they are a threat to human health or sea ecology. The Working Group is evaluating and reviewing the Draft Work Plans which were submitted in October 2002. The mid- to deep-water fish sampling was conducted to check if fish here are safe to eat and recommend boundary changes if warranted. Photos of the fish sampling were shown, as well as a map of the locations where samples were taken. The areas were selected because they are more commonly fished, and the Navy wants to be certain how close to the shoreline they can reduce the boundary of the Seafood Advisory. Boards along the sides of the room provide additional information on the chemicals sampled if attendees have specific questions later on. They are hoping to have these results available by the next RAB meeting.

Many agencies are involved in the Working Group and the process, including Guam EPA, US EPA, Guam Coastal Management Program, and others.

Future activities for this site as part of Phase II include the installation of monitoring wells, a dye trace study, sampling of sediment, seep water and seafood, and a continuation of the human

health and ecological risk assessments. Based on all the other information, in Phase IV, cleanup and/or monitoring will be conducted at the site if required.

Mr. Tsutsui took questions from the attendees:

Q: How long is the stretch of the seafood advisory in miles?

A: It's about 8 miles, about the width of Guam.

Q: What is the distance from the coast to the 600-foot depth you mentioned?

A: About ½ mile, but it varies along the coastline.

Q: What does the advisory sign say?

A: The seafood advisory sign says "Warning! Do not eat seafood caught near the west side of the Orote Peninsula or near Gabgab Beach in Apra Harbor. Seafood caught in the highlighted areas may contain chemicals (polychlorinated biphenyls (PCBs), chlorinated pesticides, or dioxin) at levels that are not safe to eat."

Q: What are the health effects if we continue to catch and eat seafood from this area?

A: PCBs and other persistent chemicals were detected in seafood during several Navy sampling events. While the scientific evidence is not definitive for several of these potentially harmful chemicals, a wide range of possible health effects may result from consuming fish containing these chemicals. These health effects include, but are not limited to, skin disorders, immunological effects, developmental effects and cancer. The Guam Department of Public Health and Social Services continues to advise people to not consume seafood caught from the advisory area until further evaluation has been completed.

Q: If the fish is not edible, the Navy is taking away a large stretch of fishing area—please don't take any more! Are there alternative fishing areas that could be made available by the Navy, such as Fena Lake?

A: Fena Lake is located within an explosive arc area and the Navy would not be able to open that to the public. The Navy explored the possibility of opening it to the public before and conducted a safety review because of the ordnance that were stored there. It was determined that the public would be endangered if there was an accident due to the ordnance.

Q: I can't fish on my own land, or support my family. At whose expense is this? What kind of compensation is available?

A: You are voicing the same concerns that have been voiced in the past, and what the Navy has done is to address the concerns by presenting claim forms that can be filed. All of the mayors have the forms in their offices. If anyone feels a need to file a claim, the mayors can help them with that.

We will capture that this is a continuing concern. You can get a claim form from the mayor's office.

Q: What is the Navy doing about it, the claim form or the fact that there aren't any alternate fishing grounds?

A: There are no alternative fishing grounds that could be opened up.

Q: Is the advisory area within Navy controlled areas?

A: Yes, much of the area is within Navy-controlled areas.

Comment: Can't find employment because too many immigrants are here, and it's hard to find jobs.

Comment: PCBs is all over the world. China is the most polluted country.

Q: Can more information be given out on the existing Fishing Preserves that were established by Department of Agriculture, and more information about the claim forms and compensation. What kind of compensation? How much and what criteria need to be met to be compensated?

Comment: Claim form compensation....we want monitoring as compensation.

Q: How about the Preserve areas? Can one of these be opened instead?

A: The Fishing Preserve consists of 5 conservation areas established by the Guam Division of Aquatic and Wildlife Resources under local laws. The idea was to allow areas for fish to re-establish their populations and later could be reopened for fishing. These are not really under control of the Navy, though one is nearby. Since these decisions are not made only by the Navy, but also the Guam EPA and Division of Aquatic and Wildlife Resources, we can ask the Government of Guam about it.

Q: How about Fena Lake?

A: Fena Lake--At one time there was some limited fishing here. It's actually a drinking water source, rather than a natural lake. The purpose is to ensure good drinking water. They do have tilapia in that lake as well. Based on the advisory, the Navy did want to do whatever they could do to open up for recreational fishing. The safety officials determined that, in case of an accident, the public would be severely endangered, and access to the Fena Lake for fishing would not be safe, and the Navy had to stop the fishing that was being done there in the past.

Q: As an alternative, have you explored a community effort to raise fish in an aquaculture type setting (i.e., in tanks)? Maybe you could coordinate this with the mayor's offices?

A: The Navy wanted to ensure that fair compensation was made. The first thing they did was a survey and offered claim forms if anyone felt they needed or wanted compensation. Once the information was received and analyzed, it was found that the legal compensation the Navy can provide is monetary. Creative ideas are great, and working together with the community is important, but unfortunately, with this current situation, the Navy cannot legally respond this way. This was based in part on the number and types of claims received. We will request that

the Working Group consider alternate means of compensation based on the changing needs of the community.

Comment: A lot of the community members, due to the cultural impact, they are not into filling out forms and so forth.

A: It was decided that the mayors, based on their input, are culturally more trusted than the Navy and they would know and understand, especially through church councils, and it would assist them in finding out what their concerns are. They are facilitating and providing feedback to the Navy.

Q: Have the Navy approached radio stations, tv, etc.?

A: Yes, the Community Relations Plan was developed with the intent of doing the best job possible. Interviews were conducted with the media, church groups, and other groups to determine the best means for getting information out. Radio was determined to be the best media--Navy went to stations and talk shows to get the word out.

Q: Chief of Staff for Sen. Lujan's office commented that this meeting was not on the Legislative Calendar, and they were not specifically notified of the meeting.

A: This is not a local government issue intended for the Legislative calendar as such, for Legislative oversight. This is a Navy outreach effort, and the senators were interviewed for guidance as to the best way to reach the community and work with the community. We will recommend that the Navy request these meetings be placed on the Legislative calendar, not for action but as an interest item.

Comment: Should there be mitigation required, the Navy should consider in-kind infrastructure development rather than monitoring, such as construction of a boat basin.

Mr. Wetzstein: Just to be sure we addressed your questions in regard to mid- to deep-water sampling, this was largely done as a result of public participation and comments. It's an attempt to open the most significant part of the fishery that occurs along this coast, greater than 80%.

Q: How much longer? When do you envision the seafood advisory being lifted by Public Health? We talked about the 4 phases.

A: The fish from mid to deep water have just been sampled in May 2003. The laboratory takes about 45 days to conduct the analysis, and then they go through data validation to see if the quality of the analysis was appropriate. That takes additional time. Then the data is evaluated by toxicologists and other officials, and the Working Group, then they make a joint decision about whether to lift the advisory or not. We hope to have that information by the next meeting.

Within the advisory, all the efforts are being focused in the high interest areas, in terms of the public interest. The primary interest expressed is in bottom fishing, not in the nearshore area. So we want to see if this area is really contaminated or not, there isn't evidence that there's any contamination there. The Working Group will have the information and be able to provide it to

Public Health, so they can possibly lift that portion of the advisory, hopefully by November or December.

Q: On technique, did they use lures, live bait? How was this done?

A: We used local expertise, asked the fishermen to bring their own equipment and fish the way they normally fish. There was a variety.

Q: Was there any bias?

A: They worked with Division of Aquatic and Wildlife Resources that knows the kinds of fish that can be caught there. By working with the local fishermen, they knew what they wanted to get, and by the end of the fishing, they did get the representative sampling they were hoping for. So, whatever techniques were used, they worked.

Q: What if the bait is contaminated?

A: That's a good question. The regulators were asked about this. Mr. Walter Leon Guerrero from Guam EPA was introduced. He said that for the bonita and squid, man-made lures were used. Guam EPA did address this question, and the bait was supposed to have been tested as well.

Q: Pelagic/deep water fish are not territorial, like those along the reef. How can you say it's from here if you find contamination in these fish. It's documented that there's PCBs in fish throughout the world.

A: The entire Working Group wrestled with this question. Some of these fish were semi-territorial/territorial. For pelagic fish, the fact is, we don't know. We are trying to answer a simple question, all fish have PCB, but collectively are they safe if we fish like the fishermen do? That will be the only question we can really answer. We want to know if we can reduce that advisory or do we have to leave it as it is? If it's safe to eat, then there's no need for the advisory.

Q: Are there dioxins and TCEs worldwide also?

A: PCBs and dioxins, yes, if bioaccumulated, tend to accumulate in fish worldwide, especially if it's at the apex of the food chain. TCE is a volatile compound, it doesn't have a tendency to accumulate in tissue. The Navy is checking to see if the levels in this area are below the safety standard. That's why this sampling is being done. We don't know if the deep water area is contaminated or not—if yes, we will have to look further. We should have some definitive answers in November or December.

Q: Why only testing here and not elsewhere when we've stated that some of these fish are not territorial? It seems as though the entire island could be contaminated.

A: The Navy is only able to look at its own areas, but is proactively pursuing an answer. Mr. Leon Guerrero explained to the group that Guam EPA is working on a grant to sample other areas and beaches, to address the entire island. GEPA is also concerned about this possibility.

Q: This was a long time period prior to 2001. The dump was there all this time, it's a long time since the 1940s. The fish could have been accumulating contaminants all that time. Recently, there have been a growing number of revelation of things going on in this island, one after the other, finding more numbers of problems here that won't be seen elsewhere. This is a growing concern.

A: Thank you very much for that. What you are asking is a huge thing, but at least there is a good use. Walter Leon Guerrero is a key reviewer and he has reviewed a concerted effort, basically in complying with the law, CERCLA--Comprehensive Environmental Response, Compensation, and Liability Act. There is a personal interest to ensure that various military organizations are complying with the law--they had to go into a comprehensive review, looking at old maps, aerial photographs, records search and several iterations. Recently the GAO requested through the Congressman Underwood's office that another review be done to make sure everything was identified. The result of that is published on the web, it shows that there weren't any complaints on the Navy's and Air Force's programs. The area they did have complaints on, the sites that are former military property, that are now private property or Government of Guam property. That program is assigned to the Department of the Army's Formerly Used Defense (FUDS) Sites program. They felt that they should do a review again, and the GAO report helped them secure additional funding for this, and that more public involvement will take place. Guam EPA is the appointed lead to represent the community to make sure the FUDS program is going.

Mr. Leon Guerrero indicated that Guam EPA has an upcoming project to compile a big list of all the sites on Guam. This will include three separate public meetings, and he is on top of the Navy's and Air Force's IR work. The contractor will be doing archival research, talking with the DoD -- the Air Force, Navy, Marines, and Army Corps, and then they will host public meetings to try to get input from the public. From that, that will be the baseline, any site that anyone thinks is a potential site, we'll investigate it and if it's valid and needs a second investigation, we'll do that. GEPA is trying to do this independently, rather than just rely on others' data.

Q: In the recent Critical Habitat article, it doesn't mention cleanup or military lands being returned.

A: We will note this issue, and also that there is a concern in the FUDS Program, and we want to address those right after we finish the presentation on the active cleanup on our active bases. We can continue discussion on these other issues right after that.

Q: How does salinity correlate with toxicity? What about temperature? The Orote area seems out of whack on temperature in that area versus others. Have you examined the temperature and is there any relation between the temperature of the water?

A: If there was a relationship, it's indirect. If there is low salinity, it probably means there is a fracture where groundwater is coming up into the ocean there. If the groundwater has any chemicals in it, it provides a clue. So that's a starting point for us. They certainly do measure temperature along with that, it's recorded, too.

Q: When they are doing bottom dredging at 1000 ft depth in the Agat Bay area, it is really barren there. Maybe it is due to the contamination.

A: There are a number of variables, e.g. erosion can get down there and settles there, and we haven't tied any of that to our site. The most we can do now is see if contamination from the military site is extending out.

Q: The objective is to clean up rather than study. This is taking so long. I'm getting weary of these intellectual pursuits. The public was shown the 4-phase approach, and the reason we're here is because we are interested in cleanup. Cleanup is way down in Phase IV. I know we need to do this in a systematic fashion, but when will we get to Phase IV?

A: Guam EPA responded that they also want to see the sites cleaned up. The Navy has initiated what they consider to be the best cleanup option. One of the things GEPA will do is verify what they consider as cleaned up.

Q: Please clarify why we are at this stage.

A: Based on the public's input from previous meetings, we went straight to cleanup. So the material was removed from the water, and the seawall was constructed, and a cap was built to stop leachate from going into the ocean or groundwater. Now that the construction is done, the Navy went to the RAB, and said they would like to complete the study that was interrupted for the cleanup action. That's when we found the contaminated fish along the edge of the seawall. Were these fish contaminated since the '60's, the 70's, the 40s and still ongoing or was it a one-time contamination caused by the cleanup action? That question needs to be answered, and one of the things is to find the groundwater that's coming out into the ocean and assess if it is contaminated, and if it's not, then there is no more contamination coming out into the environment and the fish that were contaminated will no longer be contaminated and new generations will be clean.

The Working Group decided to first find the groundwater coming out into the ocean. One way was based on the salinity, and also to see if it's connected to the landfill area, injected a harmless dye to see if it comes out in the ocean.

One of the alternatives has always been to excavate the material and ship it off island. Of the many things under consideration and presented here at the RAB, the cap was selected, but removal was an option. What the Navy is doing now, is testing this site to make sure it's safe for the environment.

Those are some of the conditions--are you in an area that is always saturated, is it always underwater? Those are all things the Working Group did look at, the site is sufficiently above the groundwater table. If it's capped, there won't be any new water pushing the old water out. Those are several of the factors that were evaluated.

Once the groundwater seeps are located, they will be tested to see if it's above safe limits.



Guam EPA reassured the attendees that if this selected remedy is found to be not working, they will push for another solution. Mr. Wuerch, also of GEPA and the Territorial Hydrogeologist, was introduced, and he discussed the groundwater and what GEPA is looking at.

Q: You've tested the ground, and you've tested fish. Have you tested people? Have you tested locally?

A: Health was the number one issue in previous meetings, so the Navy asked an independent health agency, the Agency for Toxic Substances and Disease Registry (ATSDR) at the Center for Disease Control, to come out and review the data and advise. The ATSDR held public meetings here and reviewed the data in order to answer that question. They are close to issuing a report. The Navy has no influence over their health decisions as to whether they want to test or not. There are published standards, and the Navy is regulated. Regardless of whether it causes health effects or not, if a substance is listed and is a health risk, then the Navy takes action based on that. Unfortunately, the ATSDR is not here, and is not able to speak to this question.

Q: Is it possible to request that military personnel be tested?

A: If that is a recommendation by ATSDR or another agency, we'd follow their recommendation. At the last public meeting held by ATSDR they said they would not come out until their report was ready. They prefer to maintain their independence by holding meetings separately from the Navy to avoid any appearances of bias.

Q: What about the claims, how many have there been, what have been the results?

A: We asked the mayors if they know how many were turned in, and it sounds like about 13 from Agat, and less from Piti. This is not scientific data, just conversation from about a year ago, so maybe things have changed since then.

Mr. Tsutsui moved the meeting along to the next presentation, and agreed to continue this discussion afterward. This next segment is to solicit comments from the public on the Proposed Plan for the CB Landfill. Some key decisions need to be made, and the Navy wants to be sure the public has an opportunity to provide their input. This is a good news story, about a successful remediation.

Mr. Dean Baxley, of EarthTech, then briefed the group on the Proposed Plan for the Construction Battalion (CB) Landfill at South Finegayan. Copies of the Proposed Plan are available as attendees entered the room. This portion of the meeting was also recorded separately for purposes of getting an accurate record of public comments and questions. The Proposed Plan document contains a brief description of the IR activities that have been conducted to date at the landfill. He indicated that follow-on samples have shown the groundwater is clean.

Mr. Baxley reviewed the project location, and gave a history of the use of the site and what was disposed there. He then reviewed the project timeline, showing the various cleanup stages, and

where the Navy is at present. They have completed the site investigations and site cleanup, and have been doing post-cleanup monitoring and maintenance since 1999. Today Mr. Baxley is presenting the Proposed Plan for public comment. The Navy proposes to continue monitoring and maintaining the landfill cap, and to implement land use controls, after considering several other options. These other options were reviewed several years ago, as part of the decision-making process. Mr. Baxley indicated that the cleanup goals have been met at this site, but to be sure that everything is working, the Navy conducts groundwater and landfill gas monitoring twice a year. Public comments will be addressed in the Decision Document, and that will then undergo regulatory review before being approved. The Proposed Plan is to continue Long-Term Monitoring and Maintenance at the site. The public comment period on this Proposed Plan will last until July 12, 2003. Once comments have been received, reviewed, and addressed, a Decision Document will be prepared and issued. Information is also available at the Nieves M. Flores Memorial Library. Comments from this evening's meeting on this site will be transcribed verbatim and become a part of the public record.

Q: What possible future land uses are there for this site, other than as a park?

A: The various options were discussed during the mid-1990s, including removal vs. constructing a cap. This is a very tiny landfill compared with the examples we see from other locales. This particular site can be used for nearly any purpose except anything that would damage the cap. You could put small buildings on it, it's a matter of engineering, as long as you don't go through the cap.

Q: If I or my relatives owned that land, what could we use it for?

A: Anything except what would go down and puncture that cap.

Q: It seems as though capping is the easy way out.

A: Removal vs. capping was discussed in the Engineering Evaluation/Cost Analysis (EE/CA) in 1996.

Q: The methodology that is required by EPA is to look at different remedies, and be sure the options are all considered. I want to look again at removal action because of the potential for future land uses.

A: This will be captured as one of the public comments and will be addressed.

Q: Is the proposed action to do the cap and long-term monitoring, is that "it"? There are no future plans to come in and remove the material? The risk is always there, so you have to monitor it forever. The Navy should still consider removal.

A: There is no future plan to do any removal, this is the final remedy. The difficulty in removing a landfill is that there is a lot of material to be removed and that would also cause some risks, for example during transport on the streets and highways. The goal was to isolate the waste material from everyone, and that has been accomplished.

Q: You said something about the landfill gas? Is this toxic gas?

A: There is mostly construction rubble and the like there. There is no landfill gas actually there, but the Navy accommodated that possibility.

Comment: You are saying your recommendation is to cover it up, I think you need to listen to people who live here. When you go to a picnic, don't you bring your trash bag and take your trash out with you? The Navy people came here a long time ago, and left their debris on our area. Now you cover it up like a dog, and hope someone doesn't come along and sniff it. We need to get our fish from here, you can get yours from the military grocery stores, and from other places.

Response: Mr. Tsutsui explained that these decisions were made jointly, and that the Guam EPA was involved. As a Navy civilian, he indicated he has an interest in what is happening here as well. That's why the Navy wanted to take this to the public for comments. Things have changed since the options were first discussed. Removal was considered in terms of the impact to people. This site is still on an active base.

Q: This is the recommended "final remedy". Is it really final?

A: Through the monitoring, the Navy has demonstrated that there is no leachate being discharged and there is not any methane gas being generated at the site.

Q: You said this is final, so are we wasting our time here? It doesn't seem that moving construction debris around would be very hazardous.

A: No, you are not, this is the "proposed" final action. We need to be sure the clarity is there. We understand that you are asking that the alternative to do a removal will be looked at again, as we did earlier.

Mike Gawel was called upon to assure the group that their comments will be considered. Mike is also a member of the local community. He reminded the group that there has been public involvement the entire time on this project, and that the group had already agreed upon a course of action.

Comment: I would like to be a member of the Working Group.

Comment: This is our homeland. Remove your shit man, take it, we don't want it. Remove it from our island. You guys will find another Indian land to use.

Mr. Gawel acknowledged the comments that the alternative that was reviewed before—to do a total removal—should be reviewed again in case the land is later returned to the former landowners or the Government of Guam.

Q: Can you put an ad in the newspaper when you're going to have your meetings?

A: The Navy pays for the newspaper ads, and it was published at least 3 times with yellow color so it's easy to spot. The meeting dates are also announced on the radio. We give personal notice about the meetings if requested. We try to make it as visible as possible.

Comment: I would like to see an island-wide map which shows both the Navy and Air Force dump sites.

Response: It's very difficult for the Navy to get involved with the Air Force program, but we will get together with Fred Castro, the chair of the Air Force RAB and let him know your concern.

Comment: We would like to see more information provided to RAB members regarding the decision-making process.

Response: The Navy brought out experts and devoted an entire meeting to training. The selection of landfill remedies were addressed as part of this training.

Comment: I don't believe this is a good remedy, or even a remedy at all.

Q: If there is another land use here, and it's not in Navy control, what will happen?

A: It's important that you have more facts, that you hear this information again.

Q: What exactly are the contaminants we are dealing with here?

A: Mostly metals and construction debris such as concrete.

Q: The needs of the US military are to continue to monitor that, but look at what happened in the Philippines. We know what you are trying to accomplish. When you don't need it for military purposes, then what?

A: Perhaps a third independent party that has oversight over the Navy can discuss your concerns, and that we don't just do what we want to do.

Comment: The GEPA representative is agreeing with you guys. The federal government doesn't take into account how we feel, you are more interested in the economics, rather than what is right in the name of justice.

It was clear from the discussion at the meeting that many attendees want the Navy to address the issue of removal. It would be less expensive to do it now, for example, considering inflation. The Navy should also consider other methods of neutralizing the waste material, not just total removal.

Q: When are you really going to clean up at Orote? When will the Navy get to Phase IV?

A: Real cleanup was actually done right away, based on input from the public. The cleanup was the removal of the debris, and to encapsulate the existing landfill and to put a constructed seawall to make sure that there would not be any impact there again. Now the Navy is checking to be sure that this was an effective action. There is testing going on as part of this investigation. If the cap is not good enough, then obviously the Navy will have to consider the other alternatives, up to and including total removal, if it's proven that this cleanup didn't work.

Comment: Total removal is the only option I consider to be appropriate.

Response: The Navy brought in someone to discuss these various options and what happens if it is not removed, and under what conditions capping is appropriate. The expert also discussed total removal.

Q: With all this discussion about caps, what about earthquakes?

A: It's one of the conditions, the cap and even the seawall, are designed to be stable. After every earthquake, they are inspected to make sure. After every earthquake, there has been no damage because it was designed and constructed well.

There were no more comments this evening about the CB Landfill, but comments will still be taken until July 12<sup>th</sup>, as noted earlier. The Navy offered to further discuss Orote.

Q: How does the Navy dispose of its waste now, and do you recycle?

A: The Navy has a current active landfill near the back gate that meets current federal guidelines, gets daily cover, and all the various procedures are followed. It is inspected regularly by the EPA. The Solid Waste section of Guam EPA monitors this. The Navy has a number of pollution prevention programs, including recycling, energy conservation, and other programs.

Q: You have more respect for the land now than you did in the past.

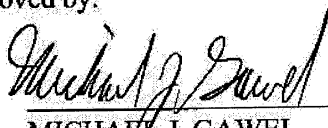
A: The environmental regulations weren't in place years ago, but under today's regulations many of these activities wouldn't have taken place. But, under that law, CERCLA, the Comprehensive Environmental Response, Compensation, and Liability Act, those sites have to be identified and communicated with the public. So this is the case with the Orote Landfill.


Comment: There are two ways to look at it. You have a moral obligation to look at it, someone from the Navy offended us a long time ago. The way to do it is to remove it—that's the only thing that will make us feel good about it. It's both moral and legal.

Mike Gawel and LCDR Scheuermann closed the meeting, and thanked participants for their inputs. There will be continued opportunities for further comments not only on the CB Landfill but also on these other projects. Comments can be provided in writing if desired. Telephone numbers were provided, and everyone was reminded to sign in and invite others to the next meeting. Personal tours of the sites are available if anyone wants to do so.

The next RAB Meeting is being planned for November 6th, 2003 for right here at the Hyatt. The Agat Mayor has invited us to use his office on November 5<sup>th</sup> so you can come in and ask questions then also.

Approved by:

  
MICHAEL J. GAWEL  
Community Co-Chairperson

  
T.P. SCHEUERMANN, LCDR, CEC, USN  
Navy Co-Chairperson

**ATTENDEES:**

Todd Baum  
Dean Baxley  
Roberto Cabreza  
Edwin Cadag  
Patrick Casey  
Robert Celestial  
Lucrina Concepcion  
John Dunmar  
Julie Duwel  
Francis Epres  
Mike Gawel  
Cole Herndon  
Mr. and Mrs. Clint Huntington  
Jenny Huntington  
Troy Imamura  
Helen Lam

Walter Leon Guerrero  
Maurn McDonald  
Michael & M'lisa Mitchell  
Russ Okoji  
Antonio Sablan  
Patricia Sablan  
Eugene Santos  
Johanes Temengil  
Brian Thomas  
Trini Torres  
Mike Torres  
Frank Toves  
Roy Tsutsui  
Eric Wetzstein  
Vic Wuerch  
Lance Young